

RESOLUTION GRANTING THIRD ROUND SUBSTANTIVE CERTIFICATION #23-09

Old Bridge Township, Middlesex County

WHEREAS, on December 31, 2008, Old Bridge Township, Middlesex County, petitioned the Council on Affordable Housing (COAH) for substantive certification of a Housing Element and Fair Share Plan addressing its total 1987-2018 affordable housing obligation; and

WHEREAS, pursuant to N.J.S.A. 52:27D-313 and N.J.A.C. 5:96-3.5, on February 26, 2009, the Township published notice of its petition in the *Home News Tribune*, which is the newspaper of general circulation within the county; and

WHEREAS, no objections to the plan were received by COAH during the 45-day objection period, which ended May 12, 2009; and

WHEREAS, the Township's fair share plan addresses a total 1987-2018 affordable housing obligation of 1,236 units, consisting of a 142-unit rehabilitation share, 439-unit prior round obligation and a 655-unit projected growth share obligation pursuant to N.J.A.C. 5:97; and

WHEREAS, COAH staff has reviewed the Township's Housing Element and Fair Share Plan, which is incorporated by reference herein; and

WHEREAS, the Township proposes to address its 142-unit rehabilitation share with a rehabilitation program for 142 units; and

WHEREAS, the Township proposes to address its 439-unit prior round obligation with 203 prior cycle credits, 28 credits and 28 bonuses for 6 group homes; 27 credits and 27 bonuses for 27 units at Oakwoode, a rental development for families; 14 credits for 14 units at Highpointe, a rental, age-restricted development; 4 credits and 4 bonuses for 4 units at Highpointe, a rental development for families; 4 credits for 4 units at Highpointe, a family, sale development; 80 credits for 80 units at Maher Manor, a rental, age-restricted development; 2

credits for 2 units at Yardley Manor, a family, sale development; and 18 credits for 18 units at Chuck Costello, a special needs rental development; and

WHEREAS, Old Bridge proposes to address a portion of its 655-unit projected growth share obligation with 11 credits and 11 bonuses for 11 units at Oakwoode, a rental development for families; 72 credits and 16 bonuses for 72 units at Woodhaven, a family, rental development; 3 credits for 3 units at Woodhaven, a rental, age-restricted development; 138 credits and 138 rental bonuses for 138 units at Oaks, a family, rental development; 2 credits for 2 units at Yardley Manor, a family, sale development; 43 credits for 43 units at Chuck Costello, a special needs rental development; 20 credits for five group homes; 20 credits for 20 units at Maher Manor, a rental, age-restricted development; and 88 credits for 88 units at Costanza Rescare, a rental, age-restricted development; and

WHEREAS, Old Bridge Township proposes to address its remaining projected growth share obligation of 113 units with 55 credits for a proposed Municipally Sponsored Veterans Housing Development; 25 credits for a Municipally Sponsored Family Housing Development municipally; and 57 credits for a Municipally Sponsored Age-Restricted Housing Development; and

WHEREAS, pursuant to N.J.A.C. 5:96-6.2(a)2, on June 22, 2009 COAH issued a Compliance Report (attached as Exhibit A and incorporated by reference herein) recommending approval of the Township's petition for third round substantive certification; and

WHEREAS, there was a 14-day period to submit comments to the COAH Compliance Report pursuant to N.J.A.C. 5:96-6.2(b) and COAH received comments from Fair Michael Fitzgerald on behalf of Oaks Development Corporation that have been responded to in a separate report (Exhibit B).

NOW THEREFORE BE IT RESOLVED that the Housing Element and Fair Share Plan submitted by the Township of Old Bridge comports to the standards set forth at N.J.S.A. 52:27D-314 and meets the criteria for third round substantive certification pursuant to N.J.A.C. 5:96-6.3;

and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11; and

BE IT FURTHER RESOLVED that Old Bridge shall submit an update in 6 months, and shall continue to submit updates in 6 month intervals, on approvals and construction of the Oaks at Glenwood; and

BE IT FURTHER RESOLVED that if the Oaks at Glenwood ceases to be a realistic opportunity to create affordable housing, the credits and associated bonuses for the Oaks shall be removed from the Housing Element and Fair Share Plan; and

BE IT FURTHER RESOLVED that if the Oaks at Glenwood no longer presents a realistic opportunity for the creation of affordable housing, the Council will direct the municipality to amend its plan to address the shortfall; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.2(a), after having reviewed and considered all of the above, COAH hereby grants third round substantive certification to the Township of Old Bridge; and

BE IT FURTHER RESOLVED that after receiving final substantive certification, pursuant to N.J.A.C. 5:96-6.3(e), the Township shall adopt all implementing Fair Share Ordinances within 45 days of this grant of substantive certification; and

BE IT FURTHER RESOLVED if the Township fails to timely adopt its Fair Share Ordinances, COAH's grant of substantive certification shall be void and of no force and effect; and

BE IT FURTHER RESOLVED that Old Bridge shall submit all Fair Share Ordinances to COAH upon adoption; and

BE IT FURTHER RESOLVED that Old Bridge shall comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting Old Bridge's actual growth pursuant to N.J.A.C. 5:97-2.5; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-10.1, COAH shall conduct biennial plan evaluations upon substantive certification of Old Bridge's Housing Element and Fair Share Plan to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing; and

BE IT FURTHER RESOLVED that if upon any biennial review the difference between the number of affordable units constructed or provided in Old Bridge and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a pro-rated production shortage of 10 percent or greater, the Township is not adhering to its implementation schedule pursuant to N.J.A.C. 5:97-3.2(a)4 or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, then the Council may direct the municipality to amend its plan to address the shortfall; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-2.5(e), if the actual growth share obligation determined is less than the projected growth share obligation, Old Bridge shall continue to provide a realistic opportunity for affordable housing to address the projected growth share; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.3(b), Old Bridge's substantive certification shall remain in effect until December 31, 2018; and

BE IT FURTHER RESOLVED that any changes to the facts upon which this substantive certification is based or any deviations from the terms and conditions of this substantive certification which affect the ability of the Township to provide for the realistic opportunity of its fair share of low- and moderate-income housing and which the Township fails to remedy, may render this certification null and void.

I hereby certify that this resolution was
duly adopted by the Council on Affordable
Housing at its public meeting on July 8, 2009

A handwritten signature in cursive script, reading "Reneé Reiss". The signature is written in black ink and is positioned above the printed name and title.

Reneé Reiss, Secretary
Council on Affordable Housing



***Council on Affordable Housing
Compliance Report
June 24, 2009***



Municipality: *Old Bridge Township*
County: *Middlesex County*

COAH Region: *3*
Planning Area: *1, 2, 3*
Special Resource Area: *n/a*

Housing Element and Fair Share Plan Adopted: *December 15, 2008*
Petition for 3rd Round Substantive Certification: *December 31, 2008*
Completeness Determination: *February 7, 2009*
Date of Publication: *February 26, 2009*

Objections Received: *No*

Petition Includes:

VLA: *No*
GPA: *No*
Waiver: *No*

Date of Site Visit: *May 19, 2009*

History of Approvals:

	COAH	JOC	N/A
First Round:			<i>x</i>
Second Round:	<i>January 8, 1997</i>		
Extended Certification:			<i>x</i>

Plan Preparer: *Mark Remsa, PP, CLA*

Municipal Housing Liaison: *Dawn Hernandez*

Recommendation: *Grant Substantive Certification*

SUMMARY OF FAIR SHARE OBLIGATION

Rehabilitation Share	142
Prior Round Obligation	439
Projected Growth Share Obligation (Net)	655

ACTUAL GROWTH and GROWTH SHARE through September, 2008¹

Res Units (#)	Actual Res Growth Share	Jobs (#)	Actual Non-Res Growth Share	Actual TOTAL Growth Share
1,174	235 units	510	32 units	267 units

COMPLIANCE PLAN SUMMARY

Obligation	Credit/ Mechanism Type	# Units Completed	# Units Proposed	TOTAL
Rehabilitation: 142 units				
Program	Municipal		142	142
Rehabilitation Subtotal				142
NEW CONSTRUCTION:				
Prior Round: 439 units				
Credits	Prior Cycle	203		203
	Post-1986	177		177
Prior Round Bonuses	Rental	59		59
Prior Round Subtotal				439
Growth Share: 655 units				
Credits	Post-1986	377		377
Proposed Mechanisms	Municipally Sponsored		137	137
Growth Share Bonuses	Rental	163		163
Growth Share Subtotal				677
Surplus				22

I. HOUSING ELEMENT

¹ This growth share number does not take into account allowable exclusions permitted under N.J.A.C. 5:97-2.4; therefore, the actual growth share may vary.

Pursuant to N.J.S.A. 40:55D-28(b), the Housing Element is a required section of the Municipal Master Plan. The Housing Element must be designed to achieve the goal of access to affordable housing to meet existing and future housing needs, with special attention given to low- and moderate-income households. The housing needs analysis must include demographic information on existing and projected housing stock and employment characteristics, a quantification of low- and moderate-income housing need, and a consideration of the lands within the municipality that are most appropriate to accommodate such housing. Old Bridge Township's Housing Element includes sufficient information regarding housing stock, demographic and employment characteristics and population trends pursuant to N.J.S.A. 52:27D-310.

Under N.J.A.C. 5:97-2.1(b), the Housing Element must also set forth the municipality's affordable housing fair share obligation, which is the sum of the rehabilitation share, the prior round obligation and the growth share.

A. Rehabilitation Share

The rehabilitation share is the number of existing housing units within a municipality as of April 1, 2000, that are both deficient and occupied by households of low or moderate income. As indicated in Appendix B of N.J.A.C. 5:97, Old Bridge Township has a rehabilitation share of 142 units.

B. Prior Round Obligation

The prior round obligation is the cumulative 1987-1999 new construction obligation provided in Appendix C of N.J.A.C. 5:97. Old Bridge has a prior round obligation of 439.

C. Projected Growth Share

The projected growth share is initially calculated based on household (residential) and employment (non-residential) 2004-2018 projections. Pursuant to Appendix F of N.J.A.C. 5:97, Old Bridge has a residential projection of 2,462 units and a non-residential projection of 3,496 jobs, which results in an initial projected growth share obligation of 711 affordable units. However, after subtracting the allowable exclusions itemized in

Worksheet A (attached as Appendix A), Old Bridge's residential projection is reduced to 436.78 units. Therefore, Old Bridge's total projected growth share for the period 1999-2018 is 655 affordable units consisting of a 436.78-unit projected residential growth share and a 218.5-unit projected non-residential growth share.²

SUMMARY OF FAIR SHARE OBLIGATION

Rehabilitation Share	142
Prior Round Obligation	439
Projected Growth Share Obligation (Net)	655

² Pursuant to N.J.A.C. 5:97-2.2(d), Old Bridge Township's residential projection of 2,462 is divided by 5 to yield 492.4 units and the non-residential projection of 3,496 jobs is divided by 16 to yield 218.5 units. Old Bridge Township's total projected growth share is therefore 711 units (492.4 + 218.5).

II. FAIR SHARE PLAN

A Fair Share Plan, as required under N.J.A.C. 5:97-3.1, describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to specifically address a municipality's rehabilitation share, prior round obligation, and growth share obligation and includes the draft ordinances necessary to implement that plan. Affordable housing must be provided in direct proportion to the growth share obligation generated by the actual growth.

Old Bridge Township's Fair Share Plan, and the supporting documentation incorporated by reference therein, addresses the requirements of N.J.A.C. 5:97-3.1 as follows:

A. Plan to Address Rehabilitation Share

Rehabilitation Share Credits

Old Bridge Township's Housing Element and Fair Share Plan does not include a request for rehabilitation credit.

Proposed Rehabilitation Program

Old Bridge Housing Authority Rehabilitation Program

Old Bridge Township will utilize Old Bridge Housing Authority (OBHA) Rehabilitation Program to address 142 units of its rehabilitation obligation. The OBHA has been administering the Township's rehabilitation program. The Township plans to complete 14-15 units per year until the obligation is met. The units will be rehabilitated with funds from the municipality's affordable housing trust fund. The Township has allocated \$1,608,300 for the program in its Third Round Spending Plan. If there are not sufficient funds to complete the 142 rehabilitation units as per COAH's regulations, the Township has adopted a Resolution of Intent to Bond. The Township has submitted a rehabilitation manual with its petition.

Proposed Rehabilitation Program

Rehabilitation Program	# Units
Old Bridge Housing Authority Rehabilitation Program	142
TOTAL	142

B. Plan to Address Prior Round Obligation

Prior Round Obligation Credits

Old Bridge Township is addressing the prior round obligation with 203 prior cycle credits and 236 post-1986 credits. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11.

Prior Cycle Credits

Project/Development Name	Year Built	Type of Affordable Unit	# Units/Bedrooms
Rotary House	1983	age-restricted, rental	203
TOTALS			203

Post-1986 Credits

Project/Development Name	Year Built or Approved	Type of Affordable Unit	# Units/Bedrooms	Bonus Type	# Bonuses	Total Units/Bedrooms + Bonuses
Archdiocese of Metuchen		group home	4	rental	4	8
Cerebral Palsy Associates of Middlesex County	1988	group home	4	rental	4	8
Project/Development	Year	Type of	# Units/	Bonus	#	Total

Name	Built or Approved	Affordable Unit	Bedrooms	Type	Bonuses	Units/Bedrooms + Bonuses
Developmental Disability Association of New Jersey		group home	4	rental	4	8
Rest Care of NJ		group home	5	rental	5	10
Catholic Charities	2001	group home	8	rental	8	16
ARC		group home	3	rental	3	6
Oakwoode	2007	inclusionary, family, rental	27	rental	27	54
Highpointe	1996	age- restricted, rental	14			14
Highpointe	1996	family, sale	4			4
Highpointe	1996	family, rental	4	rental	4	8
Maher Manor	2005	age- restricted, rental	80			80
Yardley Manor	1998	family, sale	2			2
Chuck Costello	2006	special needs, rental	18			18
TOTALS			177		59	236

Proposed Affordable Housing Mechanisms

Old Bridge is relying on credits and therefore is not proposing any additional affordable housing mechanisms to address its prior round obligation.

Prior Round Obligation Parameters

Old Bridge Township has satisfied the applicable Prior Round parameters as follows:

Prior Round Rental Obligation:³ 59 Units

Development/Project Name	Type of Affordable Unit	# Units
Archdiocese of Metuchen	group home	4
Cerebral Palsy Associates of Middlesex	group home	4
Developmental Disability Association of New Jersey	group home	4
Rest Care of NJ	group home	5
Catholic Charities	group home	8
ARC	group home	3
Oakwoode	family, rental	27
Highpointe	family, rental	4
TOTAL		59

Prior Round Age-Restricted Maximum⁴ : 94 Units

Development/Project Name	Type of Affordable Unit	# Units
Maher Manor	age-restricted, rental	94
TOTAL		94

Prior Round Rental Bonus Maximum⁵ : 59 Units

³ Rental Obligation: N.J.A.C. 5:97-3.10 Rental Obligation = 25 percent (Prior Round Obligation – Prior Cycle Credits – Impact of 20 percent cap – Impact of the 1,000-unit limitation)
= .25 (439 – 203 – 0 – 0) = 59

⁴ Age-Restricted Maximum: Age-Restricted Maximum = 25 percent (Prior Round Obligation + Rehabilitation Share – Prior Cycle Credits – Rehabilitation Credits - Impact of 20 percent cap – Impact of the 1,000-unit limitation – Transferred or Proposed RCA Units Addressing the Prior Round Obligation) = .25 (439 + 142 – 203 – 0 – 0 – 0 – 0) = 94

Development/Project Name	Type of Bonus	# Bonuses
Archdiocese of Metuchen	rental	4
Cerebral Palsy Associates of Middlesex	rental	4
Developmental Disability Association of New Jersey	rental	4
Rest Care of NJ	rental	5
Catholic Charities	rental	8
ARC	rental	3
Oakwoode	rental	27
Highpointe	rental	4
TOTAL		59

C. Plan to Address Projected Growth Share

Growth Share Obligation Credits

Old Bridge is addressing 542 units of the projected growth share obligation with 377 units of credit and 165 rental bonuses. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11.

Post-1986 Credits

Project/Development Name	Year Built or Approved	Type of Affordable Unit	# Units/ Bedrooms	Bonus Type	# Bonuses	Total Units/Bedrooms + Bonuses
Oakwoode	2007 built	family, rental	11	rental	11	22
Project/Development Name	Year Built or	Type of Affordable	# Units/ Bedrooms	Bonus Type	# Bonuses	Total Units/Bedrooms

⁵ No rental bonuses shall be granted for rental units in excess of the prior round rental obligation, therefore, PR Rental Bonus Maximum = PR Rental Obligation N.J.A.C. 5:97-3.5

	Approved	Unit				+ Bonuses
Woodhaven	1992 approved	family, rental	72	rental	16	88
Woodhaven	1992 approved	age-restricted, rental	3			3
Oaks	2005 approved	family, rental	138	rental	138	276
Yardley Manor	1998	family, sale	2			2
Chuck Costello	2006 built	special needs, rental	43			43
Maher Manor	2005 built	age-restricted, rental	20			20
Costanza Rescare	1999 built	age-restricted, rental	88			88
TOTALS			377		165	542

Proposed Affordable Housing Mechanisms

Old Bridge proposes to address the remaining 113-unit growth share obligation through the following mechanisms:

Municipally Sponsored Veterans Housing

Old Bridge will utilize a 100 percent affordable / municipally sponsored project to address 57 units of its projected growth share obligation. The Township owns the property where the housing for veterans and their families will be located on Block 20000, Lot 79.11. The units will be supportive and special needs rental units and 25 of the 57 units will be deed restricted to very-low income residents. The municipality has also allocated \$307,500.00 from its affordable housing trust fund for the project. Additional funds from the New Jersey Housing and Mortgage Finance Agency's Special Needs Trust Fund are also being sought. The Township plans to begin the RFP process

and have a developer selected by the beginning of 2010. Old Bridge states that the financing will be in place by March 2010, with occupancy scheduled for 2013. **[57 supportive and special needs rental units, including 25 very-low income units]**

Municipally Sponsored Family Housing

Old Bridge will utilize a 100 percent affordable / municipally sponsored project to address 25 units of its projected growth share obligation. The Township owns the property where the rental housing for families will be located on Block 20000, Lot 79.11. The property has access to Marlboro Road, located off of Route 18, a major highway in Old Bridge and Middlesex County. The property is located close to the Raritan Bay Medical Center. The units will be rental units and 7 of the 25 units will be deed restricted to very-low income residents. Old Bridge Township will begin the process of selecting a developer in the Fall of 2010. Funding for the project will be secured by March 2011, with occupancy scheduled for 2014. **[25 family, rental units, including 7 very-low income units]**

Municipally Sponsored – Age Restricted Housing

Old Bridge will utilize a 100 percent affordable / municipally sponsored project to address 52 units of its projected growth share obligation. The Township owns the property located on Block 20000, Lot 79.11. The development will have 107 units in total, but the municipality can only claim 52 units due to the municipality's age-restricted cap. The units will be rental units and 31 of the total 107 units will be deed restricted to very-low income residents. The Township submitted an implementation schedule for the development of these units. Old Bridge plans to begin the RFP process in September 2010 with a developer being selected by the end of 2010. Occupancy of the age-restricted units is scheduled for 2015. **[52 age-restricted, rental units, including 31 very-low income units]**

Proposed Growth Share Affordable Housing Mechanisms

Type/Name of Affordable Housing	Type of Affordable	# Units/	Bonus Type	#	Total Units/Bedrooms
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Mechanism	Unit	Bedrooms		Bonuses	+ Bonuses
Municipally Sponsored Veterans Housing	rental	55			55
Municipally Sponsored Family Housing	family, rental	25			25
Municipally Sponsored Age-Restricted Housing	age-restricted, rental	57			57
TOTALS		137			137

Growth Share Parameters

Old Bridge Township has satisfied the applicable Growth Share parameters as follows:

Growth Share Rental Obligation:⁶ 164 Units

Development/Project Name	Type of Affordable Unit	# Units
Oakwoode	inclusionary, family, rental	11
Woodhaven	inclusionary, family, rental	72
Woodhaven	age-restricted, rental	3
Oaks	family, rental	138
Chuck Costello	special needs, rental	43
Maher Manor	age-restricted, rental	20
Costanza Rescare	age-restricted, rental	88
Municipally Sponsored Veterans	special needs, rental	57
Municipally Sponsored Family	family, rental	25

⁶ Projected Growth Share Rental Obligation: .25(Projected Growth Share) or .25(655)= 164 units N.J.A.C. 5:97-3.10(b)3

Municipally Sponsored Age-restricted	age-restricted, rental	55
TOTAL		512

Growth Share Family Rental Requirement⁷ : 82 Units

Development/Project Name	Type of Affordable Unit	# Units
Oakwoode	inclusionary, family, rental	11
Woodhaven	inclusionary, family, rental	72
Oaks	inclusionary, family, rental	138
Municipally Sponsored Family	family, rental	25
TOTAL		246

Growth Share Minimum Family Requirement⁸ : 246 Units

Development/Project Name	Type of Affordable Unit	# Units
Oakwoode	family, rental	11
Woodhaven	family, rental	72
Oaks	family, rental	138
Yardley Manor	family, sale	2
Municipally Sponsored Family	family, rental	25
TOTAL		248

Very Low Income Minimum Requirement⁹ : 15 Units

⁷ Projected Growth Share Family Rental Requirement: .5(Projected Growth Share Rental Requirement) or .5(164)= 82 units N.J.A.C. 5:97-3.4(b)

⁸ Projected Growth Share Family Requirement: .5(Units Addressing the Growth Share Obligation) or .5(492)= 246 units N.J.A.C. 5:97-3.9

⁹ Growth Share Very Low Income Requirement: .13(Growth Share – Units Built or Approved or Placed into Service on or before July 17, 2008 addressing Growth Share) or .13(113)= 15 units pursuant to P.L.2008, c.46

Development/Project Name	Type of Affordable Unit	# Units
Municipally Sponsored Veterans	rental	31
Municipally Sponsored Family	rental	3
TOTAL		34

Age-Restricted Maximum¹⁰ : 163 Units

Development/Project Name	Type of Affordable Unit	# Units
Woodhaven	age-restricted, rental	3
Costanza Rescare	age-restricted, rental	88
Maher Manor	age-restricted, rental	20
Municipally Sponsored Project	age-restricted, rental	52
TOTAL		163

Bonus Maximum¹¹ : 163 Bonuses

Development/Project Name	Type of Bonus	# Bonuses
Oaks	rental	136
Oakwoode	rental	11
Woodhaven	rental	16
TOTAL		163

Actual Growth Share Obligation

The actual growth share obligation will be based on permanent certificates of

¹⁰ Projected Growth Share Age Restricted Maximum: $.25(\text{Projected Growth Share})$ or $.25(655) = 163$ units
N.J.A.C. 5:97-3.10(c)2

¹¹ Projected Bonus Maximum: $.25(\text{Projected Growth Share})$ or $.25(655) = 163$ units N.J.A.C. 5:97-3.2(b)

occupancy issued within the municipality for market-rate residential units and newly constructed or expanded non-residential developments in accordance with Appendix D of N.J.A.C. 5:97. At plan evaluation review pursuant to N.J.A.C. 5:96-10, COAH will compare the actual growth share obligation with the actual number of affordable units constructed.

The New Jersey Department of Community Affairs (NJ DCA) *Construction Reporter* indicates that between January 1, 2004 and September 2008, Old Bridge Township issued certificates of occupancy for 1,174 housing units and for the non-residential square footage equivalent of 510 jobs, yielding an actual growth share obligation through September 30, 2008, of 267 affordable units.¹²

D. Summary of Plan to Address Fair Share Obligation

REHABILITATION SHARE SUMMARY

Rehabilitation Share: 142 Units

Program Name	# Units
Old Bridge Housing Authority Rehabilitation Program	142
TOTAL	142

PRIOR ROUND SUMMARY

Prior Round Obligation: 439 Units

¹² The number of residential COs (1174) is initially divided by 5 to yield 235 units and the number of jobs (510) is initially divided by 16 to yield 32 units. Old Bridge's total actual growth share is therefore 267 units (235 + 32). **Note:** This number does not take into account allowable exclusions permitted under N.J.A.C. 5:97-2.4; therefore, the actual growth share may vary.

	Name of Mechanism	# Units/Bedrooms	Bonus Type	# Bonuses	Total Units/Bedrooms + Bonuses
Prior Cycle Credits	Rotary House	203			203
Post-1986 Credits	Archdiocese of Metuchen	4	rental	4	8
	Cerebral Palsy Associates of Middlesex	4	rental	4	8
	Developmental Disability Association of New Jersey	4	rental	4	8
	Rest Care of NJ	5	rental	5	10
	Catholic Charities	8	rental	8	16
	ARC	3	rental	3	6
	Oakwoode	27	rental	27	54
	Highpointe age-restricted rental	14			14
	Highpointe family sale	4			4
	Highpointe family rental	4	rental	4	8
	Maher Manor	80			80
	Yardley Manor	2			2
	Chuck Costello	18			18
Subtotal		380		59	439
TOTAL					439
Surplus/Shortfall					0

GROWTH SHARE SUMMARY
Projected Growth Share Obligation: 655 Units

	Name of Mechanism	# Units/Bedrooms	Bonus Type	# Bonuses	Total Units/Bedrooms + Bonuses
Post-1986 Credits	Oakwoode	11	rental	11	22
	Woodhaven	72	rental	16	88
	Woodhaven	3			3
	Yardley Manor	2			2
	Oaks	138	rental	136	274
	Maher Manor	20			20
	Costanza Rescare	88			88
	Chuck Costello	43			43
Subtotal		377		163	540
Proposed Mechanisms	Municipally Sponsored Veterans	57			57
	Municipally Sponsored Family	25			25
	Municipally Sponsored Age-Restricted	52			52
Subtotal		137			137
TOTAL					677
Surplus					22

III. FAIR SHARE DOCUMENT REVIEW

A. Development Fee Ordinance

Old Bridge Township's second round certified plan included a development fee ordinance that was approved by COAH on April 12, 1995, and adopted by the Old Bridge on February 24, 1995. Old Bridge Township submitted a draft amended development fee ordinance for COAH's review and approval with its third round petition. The amended development fee ordinance will be reviewed by COAH in a separate report.

B. Third Round Spending Plan

Old Bridge Township's prior round spending plan was approved by COAH on June 6, 1997. A revised third round spending plan was submitted by Old Bridge Township with the Township's third round petition for COAH's review and approval. The spending plan will be reviewed by COAH in a separate report.

C. Affordable Housing Ordinance/Affordable Housing Administration

Old Bridge Township has submitted a revised draft affordable housing ordinance that comports with the requirements of the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., which was amended on December 20, 2004. The draft proposed ordinance has also been amended to include the compliance with the barrier free subcode of the State Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.) and the accessibility requirements of N.J.S.A. 52:27D-123.15. The draft ordinance must be adopted within 45 days of COAH's grant of substantive certification and submitted to COAH immediately upon adoption.

An ordinance establishing the position of a municipal housing liaison and a resolution appointing a municipal housing liaison were adopted by the Township on January 26, 2009.

Old Bridge Township is responsible for the continued re-sale and re-rental of existing affordable units and the initial sale and rental of newly constructed affordable units within the Township and must identify an experienced administrative entity for that purpose by contract, agreement or letter. Old Bridge Township has submitted a contract with Old Bridge Housing Authority as its administrative entity for all affordable units.

Pursuant to N.J.A.C. 5:80-26.14(b), Old Bridge has submitted a written operating manual for administering affordable units within the Township.

D. Affirmative Marketing Plan

Old Bridge has submitted an affirmative marketing plan that comports with the requirements of the UHAC and ensures the units in the Township's 1987-2018 Fair Share Plan and all future affordable housing units will be affirmatively marketed to the region upon initial sale/rental and re-sale/re-rental. Once approved by COAH, the affirmative marketing plan must be adopted by resolution by the Township within 45 days of COAH's grant of substantive certification and submitted to COAH.

IV. SUMMARY OF COMMENTS

Kevin D. Walsh, on behalf of Fair Share Housing Center (FSHC), submitted a letter dated April 13, 2009, commenting on Old Bridge's Fair Share Plan during the 45-day objection period.

Fair Share Housing Center's Comments

FSHC states that the letter is not intended as an objection to the Township's plan pursuant to N.J.A.C. 5:96-4.1; however FSHC has two concerns that they would like addressed.

The first concern was regarding the waivers being sought for the municipally sponsored projects. The Township was seeking relief from establishing an implementation schedule for the Veterans project and the Age-restricted project. COAH staff determined that the implementation schedule was required to deem the Township's petition complete. The information was received from Old Bridge on February 7, 2009.

The second concern was regarding the rental bonuses that the Township was seeking for the two municipally sponsored projects. FSHC states that the Township must show a firm commitment to be granted rental bonuses. During the review of the

Township's plan it was determined that Old Bridge had met its bonus cap with built units and the proposed municipal projects would not be eligible to receive rental bonuses.

V. MONITORING

Old Bridge must comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting the municipality's actual growth pursuant to N.J.A.C. 5:97-2.5. As indicated above, credits for built units will be validated and verified by COAH staff during monitoring prior to the first biennial plan evaluation. It should be noted that credits for affordable housing programs and/or affordable units must be in compliance with N.J.A.C. 5:97-4. If the units are determined not to be eligible for credit, COAH will notify Old Bridge in writing and the Township may be directed to amend its certified plan to address the shortfall.

Pursuant to N.J.A.C. 5:96-10.1, COAH will conduct biennial plan evaluations upon substantive certification of Old Bridge's Housing Element and Fair Share Plan. The purpose of the plan evaluation is to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing. If upon any biennial review the difference between the number of affordable units constructed or provided in Old Bridge and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a pro-rated production shortage of 10 percent or greater or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, the Council may direct the municipality to amend its plan to address the shortfall.

VI. RECOMMENDATION

COAH staff recommends that Old Bridge Township be granted third round substantive certification. The Township must adopt all necessary implementing

ordinances within 45 days of the grant of substantive certification and submit certified copies of the adopted ordinances to COAH within seven days of the adoption.